

Remarks

Applicant hereby claims the benefit under 35 U.S.C. § 120 of the earlier filing date of copending U.S. patent application 08/904,716, which is now issued as U.S. Patent 6,052,672. In accordance with 37 CFR § 1.78(2)(i), Applicant hereby amends Applicant's Specification to recite the priority claim.

Claims 1-29 are pending.

The Examiner rejected Claims 1-5, 17-20, and 22-29 are unpatentable under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,049,782 ("Gottesman") in view of Petroutsos, Mastering Visual Basic 5 ("Petroutsos"), further in view of U.S. Patent 5,878,400 ("Carter"), U.S. Patent 6,052,672 ("Foster") and U.S. Patent 5,604,899 ("Doktor"). With respect to claim 1, the Examiner states in the Final Office Action of March 20, 2003:

As to **Claim 1** Gottesman discloses directly or inherently (see at least cols 1-14, but particularly col 4, lines 42-67, col 5, lines 1-57, col 7, lines 48-67, and col 8, lines 1-16) all of the steps in amended claim 1, both as an inventive concept and as computer program functions to be performed, either implicitly or explicitly. He teaches the creation and use of price tables and tier/pricing (product) rules for both products and sub-products linked to financial transactions, and pricing the transaction according to the tier/pricing (product) rules. All of the claimed steps are also inherent in what Gottesman teaches. But he does not specifically teach the detailed programatic steps for these software logic functions.

Carter discloses (see at least columns 1-26 but in particular columns 1-8) claims 1-29 regarding pricing rules and pricing tables.

Foster discloses (see at least columns 1-16 but in particular columns 1-9) claims 1-29 regarding mapping production services (product rules) and price tables.

LAW OFFICES OF  
ACPERSON KWOK CHEN &  
HEID LLP

2001 Gateway Place  
Suite 195  
SAN JOSE, CA 95110

TEL (408) 392-9250  
FAX (408) 392-9262

Petroutsos teaches (see his book in general, but particularly Chapter 3 at least the sections "Arrays" through "Arrays of Arrays", and "If...Then...End", and Chapter 11 at least the sections "Databases and Database Management Systems" through "The Data Control's Properties"), by example of one of several computer programming languages then available, how relatively logical, simple, and obvious it would have been for one skilled in the art at the time of the invention to create the programming steps necessary to translate an inventive concept, like Gottesman's described computer functions to be performed, into a working computer software program. For such skilled programmers it would have been obvious in a financial transaction system containing price tables and product (component) rules for multiple products (components) and multiple prices to develop the computer logic and the means for the pricing and other calculations required and to employ specific names, identifiers, and references for the pricing and product (component) databases (tables) and their data fields, together with the programatic means to both create all of the logic and tables and to link them all together for the purpose and function intended to be performed, including display only information. It is inherent in such programs to always have both mandatory and optional attributes in their tables and rules, and to assign status and a name to each of them. For example, a table or field identifier is mandatory in order for the program to function properly, yet the number and type or fields and the individual rule descriptions and logic are discretionary. It would also be obvious to allow for the temporary disuse for one or more of those rules as an optional attribute, for a variety of reasons: possible temporary discontinuance of the product as one example, or a change in the attributes of the product as another reason.

Doktor discloses claims 1-29 (see at least claims 1-36 but in particular columns 1-10) regarding the design and implementation of databases containing product rules and pricing tables.

In view of Gottesmans' teaching, it would have been obvious to one skilled in the art at the time of the invention to integrate Gottesmans' invention with the teachings of Petroutsos and Carter and Foster and Doktor because their combination would have provided a completed, improved, and operational financial transaction system that could have been used by financial service companies to save money and to increase profitability. Likewise, in light of the teachings of

Petroutsos Carter, Foster and Doktor, it would have been obvious to one skilled in the art at the time of the invention to integrate the teachings of Petroutsos and Carter and Foster and Doktor with those of Gottesman for the same reason.

Applicant respectfully traverses the Examiner's rejection. The Examiner cited Foster in his combination of prior art. As amended, the present application claims the benefit of the earlier filing date of Foster, which names as Applicant as the sole inventor. Accordingly, Applicant believes the Examiner's rejection of Claims 1-5, 17-20 and 22-29 under 35 U.S.C. § 103(a) is overcome.

The Examiner rejected Claims 6-16 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Gottesman and Petroutsos in view of Carter. Claim 6-16 and 21 each depend from Claim 1. While on its face, the Examiner appears to maintain his previous rejection of Claims 6-16 and 21 in the Office Action of September 30, 2002 (i.e., the combination of references including only Gottesman, Petroutsos and Carter), the Examiner's comments in paragraph 6, "Response to Applicant's Arguments," which consider Applicant's arguments of February 14, 2003 "moot" in view of the current rejection of claim 1, suggest to Applicant that the Examiner's current rejection of Claims 6-16 and 21 is based on the current combination of references which includes the Gottesman, Petroutsos, Carter, Foster and Doktor references and that the omission of Foster and Doktor from the stated combination is a mere oversight:

**Claims 6-16 and 21.** As claim 1 remains rejected, Applicant's argument becomes mute [sic]. For the original reasons stated, each of these claims remain rejected.

Accordingly, because Applicant now claims priority to Foster, Applicant submits that the Examiner's rejection of Claims 6-16 and 21 is overcome. Otherwise (i.e., if the Examiner

LAW OFFICES OF  
ACPERSON KWOK CHEN &  
HEID LLP

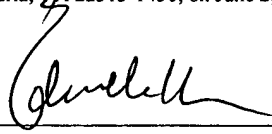
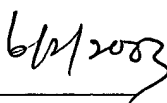
2001 Gateway Place  
Suite 195  
SAN JOSE, CA 95110

TEL (408) 392-9250  
FAX (408) 392-9262

intends that the rejection is not to be based on Foster and Doktor), Applicant submits that Applicant's previous arguments of February 14, 2003 regarding Claims 6-16 and 21, which are not disputed or commented on by the Examiner, remain applicable to and distinguish over the present rejection of these claims.

For the above reasons, Applicant respectfully submits that the Examiner's rejections of all pending claims (i.e., Claims 1-29) are erroneous. Accordingly, Applicant requests reconsideration and allowance of these claims. If the Examiner has any questions regarding the above, the Examiner is requested to telephone the undersigned Attorney for Applicants at 408-392-9250.

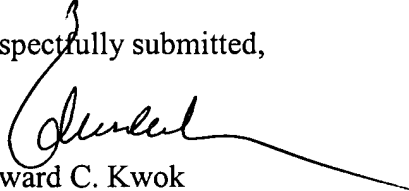
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 2, 2003.

Attorney for Applicant(s)

Date of Signature

Respectfully submitted,

  
Edward C. Kwok  
Attorney for Applicant  
Reg. No. 33,938

LAW OFFICES OF  
ACPERSON KWOK CHEN &  
HEID LLP

2001 Gateway Place  
Suite 195  
SAN JOSE, CA 95110

TEL (408) 392-9250  
FAX (408) 392-9262